

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

EDMUNDO GUERRERO  
Plaintiff,

v.

TOTAL RENAL CARE, INC  
D/B/A DA VITA A/K/A SIERRA MOBILE  
ACUTE DIALYSIS SERVICES  
Defendant

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CAUSE NO. EP-11-CV-0449-KC

**PLAINTIFF'S RULE CV-16 DISCLOSURES**

Plaintiff EDMUNDO GUERRERO ("MR. GUERRERO" and "EMPLOYEE GUERRERO") makes the following disclosures pursuant to local rule CV-16.

SIGNED on this 31<sup>st</sup> day of May 2013.

Respectfully submitted,

**CHAVEZ LAW FIRM**  
2101 N. Stanton Street  
El Paso, Texas 79902  
(915) 351-7772  
(915) 351-7773 facsimile

By: /s/Enrique Chavez, Jr.  
Enrique Chavez, Jr.  
State Bar No.: 24001873  
Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on May 31, 2012, I electronically filed the foregoing with the clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Enrique Chavez, Jr.  
Enrique Chavez, Jr.

**I. A list of questions the party desires the Court to ask prospective Jurors.**

1. This is a suit for retaliatory termination of employment case where Employee Guerrero, the plaintiff in this case, being was be retaliated against for engaging in activity protected under the False Claims Act ("FCA"). Additionally, Employee Guerrero complained to his immediate supervisor, Victor Tapia, that another TRCI employee was committing Medicare/Medicaid fraud, proving that Employee Guerrero had at least a reasonable belief that the practice was unlawful under the False Claims Act ("FCA"). Do any of you know anything about the facts of this case through either personal knowledge or the media?
2. Do you understand that this is a civil case? This means that it is a civil dispute rather than a criminal prosecution. Therefore, the burden of proof is less than if it were to be a criminal prosecution.
3. In a civil case, the Employee Guerrero need only prove his case by a preponderance of the evidence. Is there anyone who believes or thinks that he should prove his case by something more, such as beyond a reasonable doubt, please raise your hand?
4. Litigants are entitled to have their case heard by a jury that is fair and impartial. Does anyone have any strong feelings about "law suit" abuse or the media's characterization of an "insurance crisis"? Please raise your hand? What are those feelings? [If anyone speaks up,] does anyone else agree?
5. Is anyone here a member of an organization that pertains to the justice system or seeks to reform or modify the justice system?
6. Has anyone here worked for an insurance company? In what capacity? When, how long ago, and where?
7. Does anyone here have a close relative, e.g. spouse, parent or sibling who has worked for an insurance company? In what capacity? When, how long ago and where?
8. Has anyone worked for TOTAL RENAL CARE, INC.? Who, when and how long ago, and where?
9. Does anyone own stock in TOTAL RENAL CARE, INC.? Does anyone have a close family member or friend who owns stock in TOTAL RENAL CARE, INC.?
10. Does anyone have relatives or friends who have worked for TOTAL RENAL CARE, INC.? Who, when and how long ago and where?
11. Has anyone worked with a Human Resources Department at any TOTAL RENAL CARE, INC. similar to TOTAL RENAL CARE, INC.? When, how long ago and where?

12. Has anyone worked for any company as a Manager or in Human Resources?
13. Is anyone a Manager or in Human Resources, in any capacity now? With whom?
14. Has anyone experienced any discrimination or retaliation for engaging in activity protected under the False Claims Act ("FCA")? Where, when and how long ago?
15. Has anyone been a defendant in a civil suit? Is the case still pending? What were/are the allegations?
16. Does anyone have a problem with the idea of personal injury lawsuits? Why? Does anyone agree?
17. Does anyone have a problem with being able to award a large sum of money, even if the evidence and the circumstances justify such an award? Why? Does anyone agree?
18. Is there any matter than anyone would like to discuss privately that may bear on one's ability to serve as a juror in this case?
19. If TOTAL RENAL CARE, INC does not admit that they retaliated against Employee Guerrero, will anyone hold that against my client? Or prevent you from finding there was retaliation if there is no admission by TOTAL RENAL CARE, INC?
20. How many of you think that the company's human resources personnel protect the company rather than the employee?
21. Does anyone believe that human resources managers are more credible or believable than other employees just because they're in human resources?
22. Does anyone believe that TOTAL RENAL CARE, INC managers are more credible or believable than other employees just because they're in management?
23. Do any of you have family members or friends who have been wrongfully terminated by a company and the company just tried to cover it up.
24. Do any of you have family members or friends who were fired and the company just made up allegations or documents to try to justify the termination?
25. How many of you AGREE with this statement: Lawyers play an unproductive and harmful role in our society and lawsuits hurt our economy?
26. Which of you DISAGREE with this statement: Lawyers play a productive and necessary role in our society and that they are effective in protecting the rights of people and those who have been harmed?

**II. A statement of the party's claims to be used in conducting voir dire.**

This is a suit for retaliatory termination of employment. Employee Guerrero, the plaintiff in this case, being was be retaliated against for engaging in activity protected under the False Claims Act (“FCA”). Additionally, Employee Guerrero complained to his immediate supervisor, Victor Tapia, that another TRCI employee was committing Medicare/Medicaid fraud, proving that Employee Guerrero had at least a reasonable belief that the practice was unlawful under the False Claims Act (“FCA”). Further, Employee Guerrero was terminated after complaining to his immediate supervisor, Victor Tapia, that another TRCI employee was committing Medicare/Medicaid fraud.

**III. A List of Proposed Stipulated Facts.**

1. Employee Guerrero was an eligible employee as he was engaging in activity protected under the False Claims Act (“FCA”) pursuant to §3730.
2. Employee Guerrero is also an “individual” entitled to be free from retaliation as set out in §3730 under the False Claims Act (“FCA”).

**IV. An appropriate identification of each exhibit****A. Exhibits which Plaintiff expects to offer:**

<b>Plaintiff's Trial Exhibit List</b>				
<b>No.</b>	<b>Exhibit</b>	<b>Offer ed</b>	<b>Admit ted</b>	<b>Source</b>
<b>1</b>	38th National Symposium Advocacy Through Leadership			Guerrero 01- Guerrero343
<b>2</b>	Davita Code of Conduct			Guerrero 344-Guerrero 362
<b>3</b>	Davita Teammate Guidelines Effective Date 01-01-2009			Guerrero 363-Guerrero 510
<b>4</b>	Escreen Epassport			Guerrero 511
<b>5</b>	Concentra Authorization for Examination or Treatment			Guerrero 512
<b>6</b>	W-2's for 2006 through 2011			Guerrero 513-Guerrero 514
<b>7</b>	Texas Workforce Commission Notice of Telephone Hearing			Guerrero 515-Guerrero 546
<b>8</b>	Form 1099-G from Texas Workforce Commission for Edmundo Guerrero			Guerrero 547
<b>9</b>	Plaintiff's Paycheck Stubs from El Paso Specialty Hospital, LTD			Guerrero 548-Guerrero 557
<b>10</b>	List of Job Searches			Guerrero 558
<b>11</b>	TWC Appeal Tribunal			Guerrero 559-Guerrero 561
<b>12</b>	TWC Appeal Tribunal			Guerrero 562-Guerrero 565
<b>13</b>	TWC Notice of Telephone Hearing			Guerrero 566-Guerrero 586
<b>14</b>	Email from Francisco Gamez re: Edmundo Guerrero dated 08-30-2011			Guerrero 587
<b>15</b>	Email from Christine Veloz re:a Teammate			Guerrero 588-Guerrero 590

	Issue dated 08-03-2011			
16	Email from Francisco Gamez and Victor Tapia re: Edmundo Guerrero dated 08-30-2011			Guerrero 591
17	Edmundo Guerrero's Paycheck stub			Guerrero 592
18	Acutes Personal E-Mail Addresses			Guerrero 593-Guerrero 595
19	Email from George Zermeno subject Homeroom dated 05-12-2011			Guerrero 596-Guerrero 597
20	Procedure Review and Annual Skills Assessment Acutes for DaVita, Inc.			Guerrero 598-Guerrero 599
21	Procedure Review and Annual Skills Assessment Acutes-Peritoneal Dialysis for DaVita, Inc.			Guerrero 600
22	Procedure Review and Annual Skills Assessment Acutes for DaVita, Inc.			Guerrero 601-Guerrero 602
23	Acuters Services Policy and Procedure Manual, #1 DaVita, Inc.			Guerrero 603-Guerrero 613
24	Acute Daily Paper Timesheet			Guerrero 614
25	Physicians Orders			Guerrero 615-Guerrero 616
26	Teammate Handbook			Guerrero 617-Guerrero 659
27	Plan.Save.Retire DaVita Retirement Savings Plan			Guerrero 660-Guerrero 670
28	Edmundo Guerrero's W-2's from 2005-2012			Guerrero 671-Guerrero 674
29	TWC Notice of Telephone Hearing date Mailed 02-03-2012			
30	TWC Notice of Telephone Hearing date Mailed 01-12-2012			
31	Correspondence dated 12-23-2011 to TWC re: Edmundo Guerrero			
32	Davita's letter of termination dated 08-30-2011 to Edmundo Guerrero			
33	TWC Notice of Telephone Hearing dated Mailed 10-27-2011			
34	DaVita Corrective Action Form for signed on 09-24-2009			TRC00001-TRC00003
35	Verbal Warning given to Plaintiff			TRC00004-TRC00005
36	Verbal Warning Discussion Notes			TRC00006-TRC00008
37	Performance Management Plan for Edmundo Guerrero			TRC00009
38	Memo from Edmundo Guerrero dated 08-30-2005			TRC00010
39	Copy of Plaintiff's Social Security Card and Driver's License			TRC00011
40	DaVita's Annual Performance Evaluation dated 02-21-2010			TRC 00012-TRC00020
41	Authorization to Release Documents to Hospitals executed by Edmundo Guerrero			TRC00021
42	Test for Color Blindness to Edmundo Guerrero dated 01-25-05			TRC00022
44	Final Report from Total Renal Laboratories re: Edmundo Guerrero			TRC00023-TRC00029
45	Physicians Hospital Consent for Hepatitis Vaccine for Edmundo Guerrero			TRC 00030

46	Chest Exams results from RE Medi Associates re: Edmundo Guerrero		TRC00031
47	DaVita TB Skin Test Refusal Form		TRC00032-TRC00034
48	Chest Exams results from RE Medi Associates re: Edmundo Guerrero		TRC00035-TRC00037
49	DaVita TB Skin Test Refusal Form		TRC00038
50	DaVita Corrective Action Form for signed 08-30-2011		TRC00040-TRC00047
51	Correspondence dated 08-30-2005 fr Edmundo Guerrero		TRC00048
52	Email from Francisco Gamez re: Edmundo Guerrero dated 08-27-2011		TRC00049-TRC00050
53	Verbal Warning Discussion Notes re: Edmundo Guerrero		TRC00051-TRC00052
54	Performance Management Plan for Edmundo Guerrero		TRC00053
55	DaVita Corrective Action Form for signed 09-24-2009		TRC00054-TRC00056
56	Davita Payroll Manual Check Request		TRC00057
57	DaVita 2008 Paid Time off Cashout Request Edmundo Guerrero		TRC00058
58	DaVita 2007 Paid Time off Cashout Request Edmundo Guerrero		TRC00059
59	DaVita Teammate Referral Bonus Claim Form		TRC00060
60	DaVita Personnel Change Notice re: Edmundo Guerrero		TRC00061-TRC00073
61	Fax Cover Sheet from Christine Veloz Connie Collins dated 07-13-2010		TRC00074
62	DaVita Personnel Change Notice re: Edmundo Guerrero		TRC00075-TRC00082
63	DaVita Benefits Enrollment Summary		TRC00083
64	DaVita Job Description for Acute Dialysis Registered Nurse		TRC00084-TRC00095
65	DaVita Job Description for Acute Registered Nurse		TRC00096-TRC00099
66	DaVita Performance Appraisal date 02-21-2010		TRC000100-TRC00102
67	DaVita Performance Appraisal date 03-20-2010		TRC000103-TRC00105
68	DaVita Performance Appraisal date 03-22-2010		TRC00106-TRC00109
69	DaVita Performance Appraisal date 03-21-2010		TRC00110-TRC00112
70	DaVita Personnel Change Notice re: Edmundo Guerrero		TRC00113-TRC00116
71	DaVita Disclosure Authorization Release Information dated 1-14-05		TRC00117
72	Pre-Employment Drug Test		TRC00118
73	Teammate Acknowledgment		TRC00119
74	Report for DaVita Inc. re: Edmundo Guerrero		TRC00120-TRC000121
75	DaVita confirmation of background check Edmundo Guerrero		TRC00122-TRC000123
76	DaVita Application Verification		TRC00124-TRC00126
77	DaVita Application for Employment		TRC00127-TRC00129
78	Resume for Edmundo Guerrero		TRC00130-TRC00134

79	Total Renal Care Inc. Biographic Information		TRC00135
80	2005 W-4 form for Edmundo Guerrero		TRC00136
81	Fax Cover Sheet from Christine Veloz to Ju dated 02-11-2005		TRC00137
82	Email from Timo Briffa dated 09-23-2005		TRC00138
83	Interoffice Memorandum dated 10-27-2005		TRC00139
84	DaVita Teammate Acknowledgement		TRC00140
85	Interoffice Memo dated 10-26-2005		TRC00141
86	Sierra Providence Health Netw License/Certification Verification form		TRC00142-TRC00143
87	Correspondence by Management to staff		TRC00144
88	Memo from Victor Tapia to all Ac Teammates dated 04-20-2006		TRC00145
89	Fax Cover Sheet from Christine Veloz to Y dated 01-27-2005		TRC00146
90	DaVita Job Description for Acute Register Nurse		TRC00147-TRC00153
91	Beneficiary Designation		TRC00154-TRC00155
92	handwritten letter from Edmundo Guerrero		TRC00156
93	Fax Cover Sheet from Christine Veloz Rosalia Olson dated 4-11-2005		TRC00157-TRC00158
94	Annual Performance Evaluation dated 02-2006 re: Edmundo Guerero		TRC00159
95	DaVita Certificate given to Edmundo Guerrero		TRC00160-TRC00163
96	Transcript for Edmundo Guerrero		TRC00164-TRC00168
97	Procedure Review and Annual Skill Assessment Acutes for DaVita, Inc.		TRC00169-TRC00172
98	Employee Acknowledgment		TRC00173
99	2006 Ethics and Compliance General Training Attestation Form		TRC00174
100	Sierra Providence Health Network Accu-Ch Inform Hospital Glucose Monitoring System Competency Checklist		TRC00175-TRC00184
101	Test your knowledge		TRC00187
102	One For All-New Teammate Orientation Checklist		TRC00188-TRC00276
103	DaVita's Compliance Requirements		TRC00277
104	Fraud Prevention and Detection		TRC00278
105	Drug Test Results from Labcorp to DaVita Edmundo Guerrero		TRC00279
106	DaVita Personnel Change Notice re: Edmundo Guerrero		TRC00280
106	Certificates of Completion along with Transcript		TRC00281-TRC00318
107	DaVita Certification of Competency		TRC00319-
108	Sierra Providence Health Network Reorientation Checklist 2008		TRC00320
109	Ethics and Compliance General Initial Training Attestation for		TRC00321
110	2009 Thomason Mandatories		TRC00322-TRC00336
111	Transcript for Edmundo Guerrero		TRC00337-TRC00363

112	Procedure Review and Annual Sk Assessment Acutes for DaVita, Inc.		TRC00364-TRC00371
113	Sierra Providence Health Network Post Test		TRC00372-TRC00377
114	DaVita Annual Water System Test		TRC00378-TRC00379
115	Learning Activities Detail		TRC00380
116	Sierra Providence Health Network Accu-Ch Inform Hospital Glucose Monitoring Syst Competency Checklist		TRC00381-TRC00384
117	Tenet HEX Contractors Completed Activi Report		TRC00385
118	Procedure Review and Annual Sk Assessment Acutes for DaVita, Inc.		TRC00386-TRC00392
119	Sierra Providence Health Network Post Test		TRC00393-TRC396
120	DaVita Teammate Referral Bonus Claim For		TRC00397-TRC00422
121	Acute Services Policy & Procedures Manual		TRC 00890
122	SMADS Guidelines		TRC00885-TRC00889
123	Employee Earnings Record for Edmun Guerrero		TRC00423-TRC00520
124	TWC Notice of Application for Unemploy benefits dated 09-09-2011		TRC00521-TRC00618
125	Davita Code of Conduct		TRC00619-TRC00637
126	Davita Teammate Guidelines Effective Date 01-2009		TRC00638-TRC00785
127	Chain of Emails re: Picnic		TRC00786
128	Emails re: Las Cruces Charges and Hosp Invoice for Billing		TRC00787
129	Email from Edmundo Guerrero to Christ Veloz dated 08-04-2011		TRC00788-TRC00797
130	Email from Edmundo Guerrero to Christ Veloz dated 08-07-2011		TRC00798-TRC00799
131	Chain of Emails dated 08-11-2011		TRC00800-TRC00802
132	Email from Francisco Gamez to Victor Ta dated 08-15-2011		TRC00803-TRC00804
133	Email from Christine Veloz re: Davita on C Schedule		TRC00805-TRC00806
134	Email from Edmundo Guerrero dated 08-2011		TRC00807
135	Email from Francisco Gamez to Darren P dated 08-27-2011		TRC00808
136	Email From Darren Pratt dated 08-27-2011		TRC00809
137	Email from Francisco Gamez re: Edmun Guerrero dated 08-27-2011		TRC00810-TRC00811
138	DaVita Corrective Action Form for signed 09-24-2009		TRC00812-TRC00814
139	Email from Edmundo Guerrero HOMEROOM;LAS CRUCES		TRC00815-TRC00816
140	Email from Edmundo Guerrero re: Pay Finals dated 08-22-2011		TRC00817
141	Email from Francisco Gamez dated 08-28-20 re: Final Warning to Edmundo Guerrero		TRC00818-TRC00821
142	Email from Francisco Gamez re: Edmun Guerrero dated 08-28, 2011		TRC00822-TRC00826

143	DaVita For letter re: Termination			TRC00827
144	Chain of Emails re: Recommendation Termination			TRC00828-TRC00856
145	Email from Christine Veloz dated 08-30-2011 re: Edmundo Guerrero			TRC00857-TRC00861
146	Email from Christine Veloz dated 08-30-2011 re: Teammate Issue			TRC00862-TRC00864
147	Notes from Todd Prescott			TRC00866
148	Email from Hannah Lee along with attachments dated 08-30-2011			TRC00867-TRC00877
149	Email from Hannah Lee along with attachments dated 08-30-2011			TRC00878-TRC00883
150	Email from Hannah Lee dated 08-30-2011 Termination			TRC00884
151	Deposition of Timo Briffa			
152	Deposition of Francisco A. Gamez			
153	Deposition of Victor M. Tapia			
154	Deposition of Edmundo Guerrero			
155	Deposition of John R. Molina			
156	Declaration of Victor Tapia			
157	Declaration of Teresa Isaacs			
158	News Article from CNN re: DaVita and Medicare Fraud			Exhibit I in Plaintiff's Reply Defendant Total Renal Care Inc Response to Plaintiff's Motion Summary Judgment
159	Any and all exhibits from Defendant			

**V. Witness list:**

Plaintiff expects to present the following witnesses:

**EDMUNDO GUERRERO, JR.**

4405 Loma Suave Lane  
 El Paso, TX 79905 (915) 757-4970  
 c/o  
 Enrique Chavez, Jr.  
 Chavez Law Firm  
 2101 N. Stanton Street  
 El Paso, TX 79925  
 (915) 351-7772

**TOTAL RENAL CARE, INC. D/B/A DAVITA A/K/A SIERRA MOBILE ACUTE DIALYSIS SERVICES,** its agents, employees and custodian of records

Timo Briffa, Clinical Coordinator  
 Victor Tapia, Director  
 Hector Alba, Registered Nurse  
 John Molina, RN  
 c/o  
 Laura E. O'Donnell  
 State Bar No. 00797477  
 Lawrence Morales II

Ramirez/rule cv-16 disclosures

State Bar No. 24051077  
HAYNES AND BOONE, L.L.P.  
112 East Pecan Street, Suite 1200  
San Antonio, Texas 78205-1540  
Telephone: (210) 978-7000  
Telecopier: (210) 978-7450  
Defendant

Plaintiff may call the following witnesses but does not expect to at this time:

**TOTAL RENAL CARE, INC. D/B/A DAVITA A/K/A SIERRA MOBILE ACUTE DIALYSIS SERVICES**, its agents, employees and custodian of records

Patrick Leyva  
Frank Gamez, RN, Acute Clinical Coordinator  
Carlos Barrios  
Eduardo Delgado  
Christine Veloz, Acute Program Office Manager  
Miguel Pena  
Patricia Palacios  
Patricia Johnson  
Carlos Montoya  
Raul Jimenez  
George Zermeno  
Kara Munro  
Minerva Gamez  
Terri Andrade  
Mario Terrazas  
Frank Contreras  
Alfonso Orenday  
Darren Pratt  
Jose Chavez  
Todd Prescott  
Rose Ramirez  
Eddie Morales

c/o

Laura E. O'Donnell  
State Bar No. 00797477  
Lawrence Morales II  
State Bar No. 24051077  
HAYNES AND BOONE, L.L.P.  
112 East Pecan Street, Suite 1200  
San Antonio, Texas 78205-1540  
Telephone: (210) 978-7000  
Telecopier: (210) 978-7450  
Defendant

Hannah Lee

16110 Martingale Drive West  
Parker, Colorado 80134

Designated by Defendant as to have having knowledge of Plaintiff termination.

Jorge Perez  
6146 Twilight View  
El Paso, Texas 79932  
915-346-3549

Patient who was treated by Plaintiff and has knowledge of Plaintiff's performance

El Paso Children's Hospital, its agents, employees and custodian of records

Elias Armendariz  
4845 Alameda Ave.  
El Paso, Texas 79905

Designated by Defendant as to having knowledge as to issue leading to Plaintiff's Termination

Sierra Medical Center, its agents, employees and custodian of records

Yolanda Melendez  
1625 Medical Center Street  
El Paso, Texas 79902  
915-747-4000

Designated by Defendant as to having knowledge as to issues leading to Plaintiff's Termination

Kindred Hospital El Paso, its agents, employees and custodian of records

Larry Cabrera  
1740 Curie Drive  
El Paso, Texas 79902  
915-351-9044

Designated by Defendant as to having knowledge as to issues leading to Plaintiff's Termination

University Medical Center of El Paso f/k/a Thomason Memorial Hospital, its agents, employees and custodian of records

Gloria Vasquez  
Danny Vallejo  
Gil Blancas  
Irma Estrada  
4815 Alameda Ave.  
El Paso, Texas 79902  
915-521-7950

Designated by Defendant as to having knowledge in regards Plaintiff's job performance

Tenet Providence Health System, its agents, employees and custodian of records

Elizabeth Macias  
2001 North Oregon

El Paso, Texas 79902

Designated by Defendant unknown to Plaintiff as to the knowledge she may or may not have

Surgical Center of El Paso, its agents, employees and custodian of records

Lizette Runnels , Director of Human Resources

Irma Rosas,

1815 North Stanton Street

El Paso, Texas 79902

512-544-0147

Designated by Defendant as to having knowledge in regards Plaintiff's job performance

Providence Memorial Hospital, its agents, employees and custodian of records

Teresa Isaacs

Mark Thomasson, Chief Human Resources Officer

Ken Massey

Sue Staley

Gloria Barrientos

Carolyn Prentice

2001 N. Oregon St.

El Paso, Texas 79902

915-577-6011

Designated by Defendant as to having knowledge in regards Plaintiff's job performance

El Paso Specialty Hospital, its agents, employees and custodian of records

Norma Oaxaco, Director of Human Resources

Debbie Childers

1755 Curie Drive, Suite A

El Paso, Texas 79902

915-534-1051

Designated by Defendant as to having knowledge in regards Plaintiff's job performance

Endoscopy Center of El Paso, its agents, employees and custodian of records

Ruth Meglar

1300 Murchison Dr., Suite 180

El Paso, Texas 79902

915-613-0811

Designated by Defendant as to having knowledge in regards Plaintiff's job performance

Texas Workforce Commission

Appeal Tribunal

TWC Building

101 E. 15<sup>th</sup> St., Rm. 410 Main

Austin, Texas 78778

Expert Witnesses:

Enrique Moreno, 701 Magoffin Ave., El Paso, Texas 79901, (915) 533-9977

Guerrero/rule cv-16 disclosures

George Andritsos, 3116 Montana, El Paso, Texas 79902, (915) 566-9995

John Wenke, 501 E. California, El Paso, Texas 79902, (915) 351-8877

Francisco Dominguez, 2515 N. Stanton, El Paso, Texas 79902, (915) 532-5544

Enrique Chavez, Jr., 2101 N. Stanton, El Paso, Texas 79902, (915) 351-7772

Should the Plaintiff prevail, the above-named experts may testify as to their education, experience, and training as attorneys, and may testify as to the reasonableness and necessity of attorney's fees in this case.

**VI. Expected or Possible Witnesses by Deposition**

At this time, Plaintiff does not anticipate calling any witness by deposition.

**VII. Proposed jury instructions and verdict forms**

See Plaintiff's proposed jury instructions and verdict forms contemporaneously filed.

**IX. Any motions in limine.**

See Plaintiff's Motion in Limine filed contemporaneously.

**X. An estimate of the probable length of trial:**

Plaintiff estimates the trial will take 2 to 3 days.